State of Wisconsin

Tommy G. Thompson, Governor



Department of Agriculture, Trade and Consumer Protection

Ben Brancel, Secretary



DATE:

February 26, 1998

TO:

Chairperson Otte and Committee Members Assembly Committee on Consumer Affairs

FROM:

Bill Oemichen, Administrator

Division of Trade and Consumer Protection

RE:

AB 787

The Department of Agriculture, Trade and Consumer Protection appears today in support of Assembly Bill 787.

Summary of Weights and Measures

The Department administers and enforces state weights and measures laws under Chapter 98 of the Statutes, and ch. ATCP 90-92, Wis. Adm. Code. These state laws and regulations, combined with federal uniform standards adopted by the National Conference on Weights and Measures and administered by the U.S. Department of Commerce's National Institute of Standards and Technology, provide the legal framework which governs state and local weights and measures inspection activities in Wisconsin.

The origin of the Department's Weights and Measures Program can be traced to state law enacted in 1858 in which the State Dairy and Food Commissioner was given the responsibility of serving as ex officio state superintendent of weights and measures.

Today, DATCP weights and measures inspectors conduct an estimated 30,000 device inspections, and check the accuracy of quantity declarations on about 1.5 million packages each year. With nearly \$15 billion of sales annually in Wisconsin which involve sales by weight, volume or count, consumers and businesses can be faced with potentially huge losses from inaccurate weights and measures devices or quantity misrepresentations.

Nationally, weights and measures regulations impact on transactions involving \$4.13 trillion or about 55% of the U.S. Gross National Product (GNP).

Recent Enforcement Actions

Housed in the Bureau of Consumer Protection, the Department's Weights and Measures Program includes 14 field inspectors, one program compliance officer, and a technical services coordinator engaged in education and outreach, and training activities.

Testimony on AB 787 February 26, 1998 Page Two

During the past two years, the Department concluded a number of high profile cases involving violations of current weights and measures regulations. Some of the cases include the Bennett Pump gasoline dispensing device settlement, alleged price misrepresentations from continuing price scanning errors by several large retail chains, shortweighting packaged milk, and the intentional shortweighting and mislabeling of bulk cheese sold to minority-owned restaurants by a Green Bay area cheese plant. So far this year, we are working on another case involving the shortweighting of bulk meat product sold to the state prison system by a Milwaukee area meatpacker.

In 1997, courts imposed a total of \$68,743 in civil forfeitures on weights and measures cases pursued by the Department. While the Department can point to numerous successful weights and measures enforcement cases last year, we also spent considerable time and expense to provide special training to field inspectors on new equipment and proper testing procedures, as well as costs providing on-site technical assistance and training to businesses.

Assembly Bill 787 Highlights

The bill features three major components.

First, the enforcement cost recovery provision would allow a court to order a violator of weights and measures regulations to pay the "reasonable and necessary" costs of investigation and prosecution, including attorney fees. These cost recovery revenues, as determined by the courts, would go into a separate account and pay for special program expenses, such as expert witness fees and travel costs, special equipment, supplies and services directly attributable to the investigation, and, in rare situations, outside counsel.

Second, the bill creates a weights and measures assessment equal to 15% of a court imposed fine or forfeiture for violations of weights and measures regulations. These assessments, projected to total no more than \$10,000 during any given year, would go into another separate account and would pay for consumer and business education activities regarding weights and measures.

Finally, Assembly Bill 787 proposes a special provision under Chapter 98 prohibiting retaliation by an employer against an employee who cooperates with a weights and measures inspector by reporting information or demonstrating that a weights and measures violation occurred. This whistleblower protection will aid DATCP weights and measures enforcement activities, and improve cooperation with Department inspection efforts.

All three components of the bill will aid in improving the effectiveness of the Department's weights and measures program, and we urge your support.

Vote Record

Assembly Committee on Consumer Affairs

Date: 3-4-98 Moved by: Black AB: SB: AJR: SJR: A: SR:		Seconded by: Clearinghouse Rule: Appointment: Other: LRBa	1764/I	la gulfenco.
A/S Amdt: A/S Amdt: A/S Sub Amdt: A/S Amdt: A/S Amdt:	to A/S Amdt: to A/S Sub Amdt to A/S Amdt:	; <u></u>	to A/S Sub Am	dt:
Be recommended for: Passage Introduction Adoption Rejection	1 mmores	Indefinite Postponer Tabling Concurrence Nonconcurrence Confirmation	ment	
Committee Member Rep. Clifford Otte, Chair Rep. DuWayne Johnsrud Rep. Alvin Ott Rep. Michael Lehman	Manamous (Aye No	Absent	Not Voting
Rep. Frank Urban Rep. Annette Polly Williams Rep. Donald Hasenohrl Rep. Spencer Black				
	Totals: _	7 0		<u></u>

Vote Record

Assembly Committee on Consumer Affairs

Date: 3-4-98 Moved by: Black AB: SB: AJR: SJR: A: SR:		Seconded by: Clearinghouse R Appointment: Other:	Rule:	ott 1764/1	
A/S Amdt: A/S Amdt: A/S Sub Amdt: A/S Amdt: A/S Amdt:	to A/S Amdt: to A/S Sub Amdt to A/S Amdt:	···	to	 A/S Sub Amdt:	
Be recommended for: Passage Introduction Adoption Rejection	Jai	Indefinite F Tabling Concurren Nonconcu Confirmati	irrence		
Committee Member Rep. Clifford Otte, Chair Rep. DuWayne Johnsrud Rep. Alvin Ott Rep. Michael Lehman Rep. Frank Urban Rep. Annette Polly Williams Rep. Donald Hasenohrl Rep. Spencer Black		Aye Color Color Color		bsent N	lot Voting
	Totals: _	7_	<u>O</u> _		

Motion Carried	Motion Failed	

Vote Record

Assembly Committee on Consumer Affairs

Date: Moved by: AB: AB: SB: AJR: A: SR:	ded	Seconded by: Clearinghouse Rule: Appointment: Other:
A/S Amdt: A/S Amdt: A/S Sub Amdt: A/S Amdt: A/S Amdt:	to A/S Amdt: to A/S Sub Amd to A/S Amdt:	tt: to A/S Sub Amdt:
Be recommended for: Passage Introduction Adoption Rejection		Indefinite Postponement Tabling Concurrence Nonconcurrence Confirmation
Committee Member Rep. Clifford Otte, Chair Rep. DuWayne Johnsrud Rep. Alvin Ott Rep. Michael Lehman Rep. Frank Urban Rep. Annette Polly Williams Rep. Donald Hasenohrl Rep. Spencer Black	Totals: _	Aye No Absent Not Voting

Motion Carried	Motion Failed	

FISCAL ESTIMATE			(-4700) 1	997 Session
DOA-2048 (R10/92)	☑ OAIGINAL	☐ UPDATED☐ SUPPLEMENTAL	LRB or Bill No/Adm. Rule AB 787	No. Amendment No.
Subject Investigations regarding	weights and mea	sures violations		
Fiscal Effect State: State Fiscal Effect Check columns below only if bill makes appropriation.	a direct appropriation or al	fects a sum sufficient	☐ Increase Costs - May be po Agency's Budget ☐ Ye	essible to Absorb Within
 □ Increase Existing Appropriation □ Decrease Existing Appropriation □ Create New Appropriation 	☐ Increase Exis ☐ Decrease Ex	•	☐ Decrease Costs	
Local: ☐ No local government costs				
1.	4. ☐ Decrease Rev	ive Mandatory	☐ Counties ☐ O	t Units Affected: illages
Fund Sources Affected GPR FED PRO PRS SEG	□ SEG-S		Affected Ch. 20 Appropriations	

Assumptions Used in Arriving at Fiscal Estimate

This bill is not expected to have a significant fiscal effect on the Department of Justice.

Long-Range Fiscal Implications		
	· ·	
Agency/Prepared by: (Name & Phone No.)	Authorized Signature/Telephone No.	Date
Justice - Kelly Kennedy 6-1221	Kelly Henredy 6-1221	February 25, 1998

Assembly Hearing Slip

Assembly Hearing Slip

(Please print plainly)

(Please print plainly)

Date: 2)26/98	Date: 2/26/98	
BIII No. 14 AB 787	787 NIII 8	
Or . Subject	1 1	
Bill Demicher	PATER STATE	DICO.
(Name)	(Name)	12.5
	2811 AgniculTune Dr.	
(Street Address or Route Number)	(Street Address or Route Number)	9r)
(City & Zip Code)	(Cly & 210 Code)	20
04700	Total Agrand Comment	Jana A.
(Representing)	(Representing)	7
Speaking in favor:	Speaking <i>in favor:</i>	×
Speaking against:	Speaking against:	
Registering In Iavor:	Registering in favor:	
Registering against:	Registering against:	
Speaking for <i>Information only;</i> Neither for nor against:	Speaking for <i>Information only;</i> Neither for nor against:	0
Please return this slip to a messenger promptly.	rompily. Riease return this slip to a messenger prompily.	enger promptly.
Assembly Sergeant at Arms Room 411 West	Assembly Sergeant at Arms Room 411 West	

Assembly Hearing Slip

(Please print plainly)

Date: 2-27-58
BIII No. AB 187
Subject
Subject
Subject
Subject
Sunter Brian Borka

(Street Address or Route Number)

(City & Zip Code)

(Representing)

Speaking *in favor:*

Speaking against:

Registering in favor:

Ø O

Registering against:

Speaking for Information only;
Neither for nor against;

Please return this slip to a messenger prompti

Assembly Sergeant at Arms Room 411 West State Capitol Madison, WI 53702

Madison, WI 53702

State Capitol

State Capitol Madison, WI 53702

Assembly

Record of Committee Proceedings

Committee on Consumer Affairs

Assembly Bill 787

Relating to: costs related to investigations regarding weights and measures violations, protection for persons reporting weights and measures violations, providing for business and consumer education and making an appropriation.

By Representatives Otte, Huber, Albers, Springer, Harsdorf, Notestein, Porter, Hasenohrl, Hahn, Wasserman, Musser, R. Potter, Kedzie and Seratti; cosponsored by Senators Clausing, Panzer, Decker, Burke and Risser.

February 11, 1998 Referred to committee on Consumer Affairs.

February 26, 1998 PUBLIC HEARING HELD

Present: (8) Representatives Otte, Johnsrud, Ott, M. Lehman, Urban, Williams, Hasenohrl and Black.

Absent: (0) None.

Appearances for

- Bill Oemichen, Administrator, Div. of Trade & Consumer. Protection, DATCP
- David Tatar, DATCP

Appearances against

• None.

Appearances for Information Only

• None.

Registrations for

• Senator Brian Burke, 3rd Senate District

Registrations against

• None.

March 4, 1998 **EXECUTIVE SESSION**

Present: (7) Representatives Otte, Johnsrud, Ott, M.

Lehman, Williams, Hasenohrl and Black.

Absent: (1) Representative Urban.

Moved by Representative Black, seconded by Representative Ott, that Assembly Amendment 1 (LRBa1764/1) be recommended for introduction.

Ayes: (7) Representative Otte, Johnsrud, Ott, M. Lehman, Williams, Hasenohrl and Black.

Noes: (0) None.

Absent: (1) Representative Urban.

INTRODUCTION RECOMMENDED, Ayes 7, Noes 0, Absent 1

Moved by Representative Black, seconded by Representative Ott, that Assembly Amendment 1 (LRBa1764/1) be recommended for adoption.

Ayes: (7) Representative Otte, Johnsrud, Ott, M. Lehman, Williams, Hasenohrl and Black.

Noes: (0) None.

Absent: (1) Representative Urban.

ADOPTION RECOMMENDED, Ayes 7, Noes 0, Absent 1

Moved by Representative Ott, seconded by Representative Black, that **Assembly Bill 787** be recommended for passage as amended.

Ayes: (7) Representatives Otte, Johnsrud, Ott, M. Lehman, Williams, Hasenohrl and Black.

Noes: (0) None.

Absent: (1) Representative Urban.

PASSAGE AS AMENDED RECOMMENDED, Ayes 7, Noes 0, Absent 1

Had he been present, Representative Urban-would have voted, aye.

Daniel A. Young

Committee Clerk

Assembly

Committee Report

The committee on **Consumer Affairs**, reports and recommends:

Assembly Bill 787

Relating to: costs related to investigations regarding weights and measures violations, protection for persons reporting weights and measures violations, providing for business and consumer education and making an appropriation.

By Representatives Otte, Huber, Albers, Springer, Harsdorf, Notestein, Porter, Hasenohrl, Hahn, Wasserman, Musser, R. Potter, Kedzie and Seratti; cosponsored by Senators Clausing, Panzer, Decker, Burke and Risser.

INTRODUCTION OF ASSEMBLY AMENDMENT 1 (LRBa1764/1), Ayes 7, Noes 0, Absent 1

Ayes: (7) Representative Otte, Johnsrud, Ott, M. Lehman, Williams, Hasenohrl and Black.

Noes: (0) None.

Absent: (1) Representative Urban.

ADOPTION OF ASSEMBLY AMENDMENT 1 (LRBa1764/1), Ayes 7, Noes 0, Absent 1

Ayes: (7) Representative Otte, Johnsrud, Ott, M. Lehman, Williams, Hasenohrl and Black.

Noes: (0) None.

Absent: (1) Representative Urban.

PASSAGE AS AMENDED RECOMMENDED, Ayes 7, Noes 0, Absent 1

Ayes: (7) Representatives Otte, Johnsrud, Ott, M. Lehman, Williams, Hasenohrl and Black.

Noes: (0) None.

Absent: (1) Representative Urban.

Had he been present, Representative Urban would have voted, aye.

Representative Clifford Otte

Chair

1997 Session

FISCAL ESTIMATE			AB 787 (-4700)
DOA-2048 (R 10/94) S ORIGINAL	UPDATED	-	Amendment No. (If Applicable)
CORRECTED	SUPPLEMENTAL		Amendment No. (II Applicable)
Subject Court assessment and investigative cost received.	overy relating to weights and m	easures viola	ations
Fiscal Effect	svery relating to weight and		
State: No State Fiscal Effect			•
Check columns below only if bill makes a		Increase	Costs - May be possible
or affects a sum sufficient ap	propriation	to Abso	rb Within Agency's
		Budget	☐ Yes ☐ No
, <u> </u>	ncrease Existing Revenues		
☐ Decrease Existing Appropriation ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	Decrease Existing Revenues	Decrea:	se Costs
Local : No local government costs			
	Increase Revenues	5. Types of	Local Governmental Unit
1 '- 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Permissive Mandatory	Affected:	
	Decrease Revenues	☐ Towns	☐ Villages ☐ Cities
	Permissive Mandatory		s Others
			Districts WTCS Districts
Fund Source Affected			20 Appropriations 20.115(1)(jd) and (jf)
GPR FED PRO PRS Assumptions Used in Arriving at Fiscal Estimate	SEG SEG-S	(Proposed)	20.115(1)(d) and (ii)
Assumptions used in Arriving at Fiscal Estimate			
This proposal would require a court to impose	e an assessment equal to 15%	of the fine or	forfeiture whenever a fine
or forfeiture is imposed by a court for a weigh	ts and measures offense. In a	ddition, this p	roposal would permit a
court to order the offender to pay the costs of	investigation and prosecution,	including att	orney fees, related to the
offense.			
Although case loads vary from year to year, t	he department estimates that the	his appropria	tion would provide up to
\$15,000 annually to weights and measures.			en e
On average, about 6 weights and measures i	nvestigations per year result in	formal enfor	cement action where fines
or forfeitures are imposed by courts. In 1997	5 weights and measures case	es resulted in	forfeitures in which the
courts imposed a total of \$68,743 in forfeiture	s. If AB 787 would have been	in effect, the	courts would have
imposed an additional 15% (\$10,311) to the d		used by weig	ints and measures to
recover costs for additional training and educ	auori.		
Under this bill, a court may also order an offer	nder to pay any reasonable an	d necessary	costs of investigation and
prosecution related to the violation. Assumin	g there are 6 weights and mea	sures cases	resulting in formal
prosecutions each year, the department esting	nates that 1 of these cases may	/ require assi	stance from outside
experts, specialized equipment, or other allow	able, direct expense. Cost rec	coveries will v	ary, and depend upon the
court's discretion in awarding appropriate rec	overy costs. Even so, the depart	artment estim	ates annual cost recovery
awards of \$5,000.			
The cost of administration would not be affect	ed		
The cost of administration would not be affect	cu.		
Long - Range Fiscal Implications			
·			N C. C. Y
It is not possible to estimate the long-run impa	act, except to say that it is direc	tly related to	tne forfeitures and fines
imposed by the courts, and will vary along wi	in the costs incurred with perfo	ming investi	yauons.
Agency/prepared by: (Name & Phone No.)	Authorized Signature/Telephone I	No.	Date
Agonoy/propared by, (maine a r none no.)	\mathcal{R}_{-}	1 1	
DATCP	Barbara Kna	عريد	
David D. Tatar (608) 224-4947	Barbara Knapp (608) 224	-4746	2/20/98

FISCAL ESTIMATE WORKSHEET

1997 SESSION

Detailed Estimate of Annual Fiscal Effect CORRECTED SUPPLEMENTAL	LRB or Bill No/Adm.Ri AB 787	ule No. Amendment No.
Subject		
Court assessment and investigative cost recovery relating to weigh I. One-time Cost or Revenue Impacts for State and/or Local Government (do	ts and measures violations	ol office)
0	not include in annualized fisca	и епессу:
II. Annualized Cost:	Annualized Fiscal Impac	t on State funds from:
A. State Costs by Category	Increased Costs	Decreased Costs
State Operations - Salaries and Fringes	\$ 0	\$ -0
(FTE Position Changes)	(0 FTE)	(-0 FTE)
State Operations - Other Costs	0	- 0
Local Assistance	0	- 0
Aids to Individuals or Organizations	o	- 0
TOTAL State Costs by Category	\$ 0	\$ -0
B. State Costs by Source of Funds	Increased Costs	Decreased Costs
GPR	\$ 0	\$ -0
FED	0	- 0
PRO/PRS	0	- 0
SEG/SEG-S	o	- 0
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)	Increased Rev.	Decreased Rev.
GPR Taxes	\$ 0	\$ -0
GPR Earned	0	- 0
FED	0	- 0
PRO/PRS	15,000	- 0
SEG/SEG-S	0	- 0
TOTAL State Revenues	\$ 15,000	\$ - 0
NET ANNUALIZED FISCAL	L IMPACT	

	STATE	LOCAL
NET CHANGE IN COSTS	\$ <u>0</u>	\$ <u>0</u>
NET CHANGE IN REVENUES	\$ <u>15,000</u>	\$ <u>0</u>
Agency Prepared by: (Name & Phone No.)	Authorized Signature/Telephone No.	Date
DATCP	Barbara Knapp (608) 224-4746	~
David D. Tatar (608) 224-4947	Barbara Knapp (608) 224-4746	2/20/98

			1997 Session	
FISCAL ESTIMATE DOA-2048 (R10/92)	☐ CORRECTED	UPDATED SUPPLEMENTAL	LRB or Bill No /Adm. Rule No. AB 787 (- 4700) Amendment No. if Applicable	>
Subject			violations	
Costs related to investigation	ns regarding weigr	its and measures	Violations	
State: No State Fiscal Effect Check columns below only if bill makes a or affects a sum suffic Increase Existing Appropriat Decrease Existing Appropriat Create New Appropriation	ient appropriation on Increase E	existing Revenues Existing Revenues	☐ Increase Costs - May be possible to Absorb Within Agency's Budget ☐ Yes ☐ No ☐ Decrease Costs	
Local: No local government costs 1. Increase Costs Permissive Mandatory 2. Decrease Costs Permissive Mandatory	3.	we Mandatory wenues we Mandatory	5. Types of Local Governmental Units Affected: Towns Villages Cities Counties Others VTAE Districts	
Fund Sources Affected GPR FED PRO	PRS □ SEG □ SEG	The state of the s	d Ch. 20 Appropriations Chap. 20.550 (1)(d)	
court imposes a fine or forfei may order the offender to pay In FY96, the State Public Def	npose an assessm ture for an offense y the costs of the i ender's Office (SP	related to weight nvestigation and D) did not represe	o of a fine or forfeiture whenever a ts and measures. In addition, the court prosecution, including attorney fees. ent any person charged with an offense II should not have any fiscal effect on	
Long-Range Fiscal Implications None anticipated.				
Agency/Prepared by: (Name & Phone No.)	Au	thorized Signature/Teleph	nong No. Date	
SPD/Gina Pruski/266-678	32	na Pruski	266-6782 02/19/98	

1					AB 787	(-4700/1)	1995 Session	
	.≱ ORIG	INAL	□ UP	DATED		LRB or Bill No.// 48787 -		
FISCAL ESTIMATE DOA-2048 N(R10/94)	☐ COR	RECTED	□ su	PPLEMENTAL		Amendment No	if Applicable	
Subject -								
Assessment of 159	on fines	and forfe	iture	s imposed	d on obst	ruction of	inspectors.	
Fiscal Effect	-4							
State: ☐ No State Fiscal Effect Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.				☐ Increase Costs - May be possible to Absorb Within Agency's Budget ☐ Yes ☐ No				
☐ Increase Existing Appropriati ☐ Decrease Existing Appropriati ☐ Create New Appropriation	and the second s				☐ Decrease Costs			
Local: No local government								
□ Increase Costs □ Permissive □ Mane		Increase Reven ☐ Permissive		andatory	5. Types	of Local Governm Villages	ental Units Affected:	
2. Decrease Costs		Decrease Reve	197777		Counties Counties			
☐ Permissive ☐ Mane	datory*	☐ Permissive	М		School D		WTCS Districts	
GPR ☐ FED ☐ PRO	D □PRS □ S	EG SEG-S	3	47.	ас хүргэр			
Assumptions Used in Arriving at Fig	scal Estimate							
Assessment of 15%	would be	n additic	n to	fine and	forfeit	ire already	in place.	
					-			
	All state .							
Land Danie Cianal Institute								
Long-Range Fiscal Implications Increased revenues	to municio	pal court	s/stat	æ.				
Agency/Prepared by: (Name & Pho	ne No.)	Autho	rized Sid	nature/Telepi	none No.	. 0	ate	
,		A.	1		1/)	5-7982	2/10/98	
Treasury/ Michael Coll		$-1/\nu$	Just	ack Col	llu-	, , , , ,	2, 10, 00	

1997 Session

FISCAL ESTIMATE		AB	787 C L == 6		
OA-2048 (R 10/94) ORIGINAL UPDATED			AB /0/ (-4700) Amendment No. (If Applicable)		
CORRECTED	SUPPLEMENTAL	Amendn	ient No. (If Applicable)		
Subject	even relating to weights and m	anguras violations			
Court assessment and investigative cost rec	overy relating to weights and m	easures violations			
State: No State Fiscal Effect					
Check columns below only if bill makes a	☐ Increase Costs - May be possible				
or affects a sum sufficient a	to Absorb With				
☐ Increase Existing Appropriation ☐	Increase Existing Revenues	Budget 1	es No		
Decrease Existing Appropriation	Decrease Existing Revenues				
Create New Appropriation		Decrease Costs	5		
Local : No local government costs					
1. Increase Costs 3.	Increase Revenues	5. Types of Local G	overnmental Unit		
Permissive Mandatory	Affected:				
2. Decrease Costs 4.	Permissive Mandatory Decrease Revenues	☐ Towns ☐ Vi	lages Cities		
Permissive Mandatory	Permissive Mandatory	Counties Others			
[100 - 발생이 [12] 12 12 12 12 12 12 12 12 12 12 12 12 12		School Districts	☐ WTCS Districts		
Fund Source Affected		Affected Ch. 20 Approp			
☐GPR ☐ FED ☒ PRO ☐ PRS	SEG SEG-S	(Proposed) 20.115	(1)(jd) and (jf)		
Assumptions Used in Arriving at Fiscal Estimate					
or forfeiture is imposed by a court for a weight court to order the offender to pay the costs of offense. Although case loads vary from year to year, \$15,000 annually to weights and measures. On average, about 6 weights and measures or forfeitures are imposed by courts. In 1997 courts imposed a total of \$68,743 in forfeiture imposed an additional 15% (\$10,311) to the crecover costs for additional training and educe. Under this bill, a court may also order an offer prosecution related to the violation. Assuming prosecutions each year, the department esting experts, specialized equipment, or other allow court's discretion in awarding appropriate recreawards of \$5,000. The cost of administration would not be affective.	the department estimates that the department estimates that the investigations per year result in 1,5 weights and measures case es. If AB 787 would have been defenders that could have been deation. Inder to pay any reasonable and there are 6 weights and measures that 1 of these cases may evable, direct expense. Cost recovery costs. Even so, the department of the control of the cost recovery costs.	including attorney fermis appropriation would formal enforcement is resulted in forfeiturin effect, the courts wased by weights and discussed by weights and discussed require assistance froveries will vary, and	es, related to the action where fines es in which the yould have measures to investigation and g in formal from outside d depend upon the		
Long - Range Fiscal Implications					
Long - Range riscal implications					
It is not possible to estimate the long-run impairmposed by the courts, and will vary along wi			eitures and fines		
Agency/prepared by: (Name & Phone No.)	Authorized Signature/Telephone	lo.	Date		
	Ranta. Kna	LL			
DATCP	Barbara Knapp (608) 224		0.000.000		
David D. Tatar (608) 224-4947	Barbara Knapp (608) 224	-4/46	2/20/98		

FISCAL ESTIMATE WORKSHEET 1997 SESSION Detailed Estimate of Annual LRB or Bill No/Adm.Rule No. ○ ORIGINAL □ UPDATED Amendment No. Fiscal Effect **AB 787** CORRECTED | SUPPLEMENTAL DOA-2047 (R10/94) Subject Court assessment and investigative cost recovery relating to weights and measures violations I. One-time Cost or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect): II. Annualized Cost: Annualized Fiscal Impact on State funds from: A. State Costs by Category **Increased Costs Decreased Costs** State Operations - Salaries and Fringes **\$** 0 \$ -0 (FTE Position Changes) (0 FTE) (-0 FTE) State Operations - Other Costs 0 - 0 Local Assistance 0 - 0 Aids to Individuals or Organizations 0 - 0 **TOTAL State Costs by Category** \$ 0 - 0 B. State Costs by Source of Funds **Increased Costs Decreased Costs**

\$ 0

0

0

0

\$ 0

0

0

0

15,000

\$ 15,000

Increased Rev.

\$ -0

- 0

- 0

- 0

\$ -0

- 0

- 0

- 0

- 0

\$ - 0

Decreased Rev.

GPR

FED

PRO/PRS

III. State Revenues -

GPR Taxes

GPR Earned

FED

PRO/PRS

SEG/SEG-S

TOTAL State Revenues

SEG/SEG-S

NET ANNUALIZED FISCAL IMPACT

Complete this only when proposal will increase or decrease

state revenues (e.g., tax increase, decrease in license fee, etc.)

	STATE	LOCAL
NET CHANGE IN COSTS	\$ <u>0</u>	\$ <u>0</u>
NET CHANGE IN REVENUES	\$ <u>15,000</u>	\$ <u>0</u>
Agency Prepared by: (Name & Phone No.)	Authorized Signature/Telephone No.	. Date
DATCP David D. Tatar (608) 224-4947	Barbara Knapp (608) 224	1-4746 2/20/98

						1997 Session			
	23	ORIGINAL		UPDATED		LRB or B AB 787	ill No./Adm (~ \	n. Rule No.	
FISCAL ESTIMATE DOA-2048 N(R10/94)	0	CORRECTED		SUPPLEMENT	'AL			ent No. if Applicable	
Subject Costs related to investigations r weights and measures violation	egardir s, prov	ng weights and n	neasu s and	res violations consumer ed	, protection fo	or person making a	s reporti n approp	ng priation	
Fiscal Effect									
State: No State Fiscal Effect Check columns below only if bill r or affects a sum sufficient a	nakes a						ıy be possi Iget □ Yo	ble to Absorb	
☐ Increase Existing Appropriatio☐ Decrease Existing Appropriatio	☐ Increase Existing Appropriation ☐ Increase Existing Revenues					☐ Decrease Costs			
☐ Create New Appropriation							-		
□ Increase Costs □ Permissive □ Manda □ Decrease Costs	□ No local government costs ease Costs 3. □ Increase Revenues 5. Type Permissive □ Mandatory □ Permissive □ Mandatory □ Towns rease Costs 4. □ Decrease Revenues □ Counti			☐ Towns ☐ Counties					
☐ Permissive ☐ Manda Fund Sources Affected	tory	☐ Permissive	• [Mandatory	☐ School Dis		□ wrc	S Districts	
☐ GPR ☐ FED ☐ PRO	□PRS	□ SEG □ SEG	s	s. 20.475	Ch. 20 Approp 5(1)(d)	rations			
Assumptions Used in Arriving at Fisc Under current law the Departme district attorneys' offices each ye to process those cases.	nt of A	griculture, Trade	and (chang	Consumer Proje that numbe	otection refer or nor the time	only five needed	or six ca by distri	ses to ct attorneys	
							•		
Long-Range Fiscal Implications			$\overline{}$						
None				7					
Agency/Prepared by: (Name & Phone I	No.)	Autho	rized	Ignature/Telep	hone/No.		Date		
DA/Stuart Morse (608) 267-270	00	() ffe	<u>K</u>	.Man	d (608) 26	7-3836	Februa	ary 18, 1998	